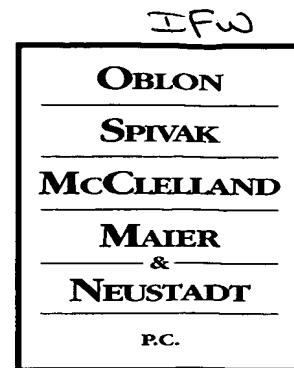


Docket No.: 255873US6YA PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/501,987
Applicants: Lee CHEN
Filing Date: June 6, 2005
For: PLASMA ETCHING OF NI-CONTAINING
MATERIALS
Group Art Unit: 1763
Examiner: OLSEN, A. W.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT (2 pp.)

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Corwin P. Umbach, Ph.D.

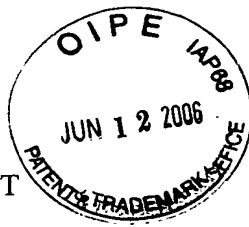
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DOCKET NO: 255873US6YA PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
LEE CHEN : EXAMINER: OLSEN, A.
SERIAL NO: 10/501,987 :
FILED: JUNE 6, 2005 : GROUP ART UNIT: 1763
FOR: PLASMA ETCHING OF :
NI-CONTAINING MATERIALS :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated May 11, 2006, Applicants hereby elect, with traverse, to prosecute the invention of Group I (Claims 1 and 3-21, drawn to a method of processing a Ni-containing layer).

Applicants respectfully traverse the Restriction Requirement on the grounds that the Patent Office has not shown that a burden exists in searching all of the claims. Because the Patent Office has not identified two or more sub-classes that must be searched, and thousands of U.S. patents have issued in which many more than two subclasses are searched, the Patent Office cannot reasonably assert that a burden exists in searching all of the claims.

Accordingly, Applicants respectfully submit that the Patent Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in
condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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